

Amended claim 5 calls for the folding and bonding of the wings formed in the process to occur on the sides of the package, lateral to the longitudinal heat seal 12 which forms the enclosed pouch. Such lateral wing formation is clearly shown in all of Figs. 1-4 and referred to in the specification as lateral wings.

Similarly amended claim 13 calls for the wings to be folded laterally relative to the longitudinal heat seal.

There is no fair teaching, hint or suggestion in Schneider of the claimed invention of the present application. Both the structure and the appearance of the Schneider package are different from the package claimed in this application. And, the Schneider process produces a product different in both appearance and functional structure. It would require re-invention of the disclosure of Schneider to arrive at the present invention. Schneider teaches away from the present invention.

CONCLUSION

Reconsideration of the present application and withdrawal of the outstanding rejections is respectfully requested in view of the present amendments and remarks.

If the Examiner believes that a teleconference would expedite resolution of any matter with regard to the present Application, the examiner is respectfully invited to call the Applicants' attorney at the number listed below. If any fees beyond the fees submitted concurrently with this Amendment and Response are required for any reason, all such fees may be charged to the account of the undersigned, Deposit Account No. 06-0916.

Respectfully submitted,

Giorgio Trani et al.



M. Lawrence Oliverio, Reg. No. 30,915
Kudirka and Jobse, LLP
One State Street, Suite 1510
Boston, MA 02109
617-367-4600
Customer #021127

Docket No. 8493.7004.000

Date: *November 25, 2003*



MARKED-UP CLAIMS

5. (Amended) A method for manufacturing an inherently stable container made of flexible material, comprising the following steps:

a) folding a continuous film of flexible material of appropriate width, to obtain a pouch by way of a longitudinal heat-seal and by way of evenly spaced transverse heat-seals, followed by cropping the folded film transversely;

b) heat-sealing in sides of the pouch, at a region of the transverse heat-seals, forming two triangles having wings laterally disposed relative to the longitudinal heat-seal [the triangles having a base which coincides with one edge of the pouch and vertex which wedges inwards said pouch];

c) punch opening said pouch, and optionally filling the pouch with a product;

d) folding and bonding the wings laterally relative to the longitudinal heat-seal [without an intermediate step] and, after filling the pouch, simultaneously with the bonding of the wings, heat-sealing an upper open mouth of the pouch.

13. (Amended) A method for manufacturing an inherently stable container made of flexible material, comprising the steps of:

a) folding a continuous film of flexible material of appropriate width, to obtain a pouch by way of a longitudinal heat-seal and by way of evenly spaced transverse heat-seals, followed by transversely cropping the folded film;

b) heat-sealing two triangles having wings into sides of the pouch lateral to the longitudinal heat-seal [near the transverse heat-seals], each of the triangles having a base which coincides with one edge of the pouch and a vertex which wedges inwards said pouch lateral to the longitudinal heat-seal;

c) punch opening said pouch, and optionally filling the pouch with a product;

d) folding and bonding the wings onto the triangles.

RECEIVED
NOV 29 2002
TECHNOLOGY CENTER R3700